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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 DAVID LEVOYD REED,
12 Plaintiff(s),

Case No.: 2:20-cv-01274-APG-NJK

13 v.

ORDER

[Docket No. 6]

14 CLARK COUNTY DISTRICT ATTORNEY,
15 et al.,
16 Defendant(s).

17 Pending before the Court is Plaintiff's amended application to proceed in this action *in*
18 *forma pauperis*. Docket No. 11. Subject to the conditions outlined below, the Court **GRANTS**
19 the amended application to proceed *in forma pauperis*.

20 Plaintiff must pay an initial partial filing fee of the greater of twenty percent of the average
21 monthly deposits or twenty percent of the average monthly balance of his account for the six
22 months immediately preceding the commencement of this action. *See* 28 U.S.C. § 1915(b)(1).
23 Plaintiff's average monthly balance is \$4.12, and his average monthly deposit is \$16.67.
24 Therefore, the Court finds that Plaintiff must pay an initial partial filing fee of \$3.34.

25 Accordingly, **IT IS ORDERED:**

26 1. Plaintiff's Application to Proceed *in Forma Pauperis* (Docket No. 1) without
27 having to prepay the full filing fee is **GRANTED**. However, Plaintiff shall be required to pay an
28 initial installment fee in the amount of \$3.34 toward the full filing fee of \$350. Plaintiff shall have

1 the designated fee sent to the Clerk's Office, no later than **October 5, 2020**. Failure to do so may
2 result in dismissal of this action. Furthermore, even if this action is dismissed, the full filing fee
3 must still be paid pursuant to 28 U.S.C. § 1915(b)(2).¹

4 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
5 prepayment of any additional fees or costs or the giving of security therefor. This Order granting
6 *in forma pauperis* status shall not extend to the issuance and/or service of subpoenas at government
7 expense.

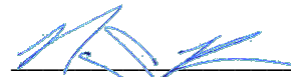
8 3. The Clerk's Office shall provide Plaintiff with two copies of this Order. Plaintiff
9 is ordered to make the necessary arrangements to have one copy of this Order attached to the check
10 in the amount of the designated fee.

11 4. The Clerk's Office shall send a copy of this Order to the attention of the inmate
12 accounts department at High Desert State Prison, P.O. Box 650, Indian Springs, Nevada 89070.
13 Pursuant to 28 U.S.C. § 1915(b)(2), High Desert State Prison shall forward to the Clerk of the
14 United States District Court, District of Nevada, twenty percent of the preceding month's deposits
15 to Plaintiff's inmate trust account (in the months that the account exceeds \$10.00) until the full
16 \$350 filing fee has been paid for this action.

17 5. The Clerk's Office shall provide a copy of this Order to the Finance Division of the
18 Clerk's Office.

19 IT IS SO ORDERED.

20 Dated: September 3, 2020

21 
22 Nancy J. Koppe
23 United States Magistrate Judge
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27 ¹ After it has received the partial filing fee as ordered herein, the Court will screen
28 Plaintiff's complaint as required by 28 U.S.C. § 1915. Nothing in this order should be construed
as suggesting that the Court will allow any of Plaintiff's claims to proceed past the screening phase.